



CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor

## New Jersey Office of the Attorney General

Division of Consumer Affairs  
State Board of Veterinary Medical Examiners  
124 Halsey Street, 6<sup>th</sup> Floor, Newark NJ 07102



ROBERT LOUGY  
Acting Attorney General

STEVE C. LEE  
Acting Director

June 10, 2016

James Hagan, D.V.M.  
Cologne Animal Hospital  
727 W. White Horse Pike  
Cologne, NJ 08213

RECEIVED and FILED by the  
NEW JERSEY STATE BOARD OF  
VETERINARY MEDICAL EXAMINERS  
on this date of: 7-8-16 DA

**Mailing Address:**  
P.O. Box 45020  
Newark, NJ 07101  
(973) 504-6500

Re: Settlement Letter in Lieu of Formal Disciplinary  
Proceedings in Complaint #110676  
Patient: "Buddy"

Dear Dr. Hagan:

This letter is to advise you that the New Jersey State Board of Veterinary Medical Examiners ("Board") completed its review of information concerning the above referenced complaint. Specifically, the information reviewed included, but not limited to:

1. The consumer's complaint; and
2. A copy of your response, including patient's treatment and financial records, and other office records.

Based upon the review of these matters, the Board has determined that you have engaged in the following acts which constitute violations of the Board's statutes and regulations:

1. **Diagnosis and Treatment Planning** - You failed to adequately interpret and/or address warning signs from the blood work performed. You also failed to communicate the results of the urinalysis to the owner. You also prescribed the animal Rimadyl, despite a history of elevated "Al Phos" levels.
2. **Execution of Treatment** - It appears that you permitted veterinary technicians at your facility to perform assessments and administer vaccinations prior to a physical examination by a licensed veterinarian.

These failures in properly diagnosing, planning and executing the treatment, may constitute acts of repeated negligence to initiate the filing of a formal disciplinary proceeding. However, the Board has determined that it will first offer you an opportunity to settle this matter, and avoid the initiation of formal disciplinary proceeding, should you agree to the following:

1. Pay a civil penalty in the total amount of \$2,500 for repeated acts of negligence in violation of N.J.S.A. 45:1-21(d).

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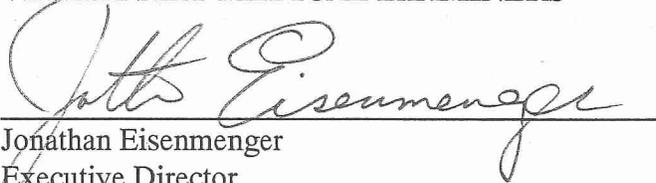
2. Complete a total of ten (10) hours of remedial continuing education in clinical pathology. Continuing education course work must be pre-approved by the Board, and is to be completed in addition to the credits you must complete for the renewal of your license.

If you are willing to settle this matter on the offered settlement terms, you may do so by signing the acknowledgment at the bottom of this letter, and returning it to the Board office. The civil penalty should be paid by a check or money order made payable to the "State of New Jersey" and submitted to the Board office. Continuing education course work must be pre-approved by the Board, and is to be completed in addition to the credits you must complete for the renewal of your license. You should be aware that upon receipt of your signed acknowledgment, this letter will be a matter of public record.

In the event you are unwilling to settle this matter on the offered terms, it will be referred to the Attorney General's office for the initiation of an appropriate enforcement action. In such event, you will be afforded an opportunity to defend against the alleged violations. If an evidentiary hearing is deemed warranted, the Board will either conduct that hearing at a date and time to be scheduled or refer the matter to the Office of Administrative Law. You are advised, however, that in the event formal charges are filed, the Board may assess civil penalties in an amount greater than those offered in settlement here, in addition to other sanctions, should any charges against you be sustained. Additionally, the Board may, if the facts are found to so warrant, enter an order requiring you to reimburse certain monies and/or requiring you to pay the additional costs incurred by the Board. Should you have any questions concerning this letter or the settlement offer, I suggest that you contact Deputy Attorney General Swang Oo, who may be reached at (973) 648-2500.

If you elect to settle this matter, you should sign the acknowledgment at the bottom of this letter and return it to the Board within fifteen (15) days following your receipt of this letter. In the event that the Board receives no response from you within fifteen (15) days, the Board's settlement offer will be withdrawn, and the matter will be referred to the Attorney General's Office for the initiation of appropriate enforcement proceedings.

Sincerely,  
**NEW JERSEY STATE BOARD OF  
VETERINARY MEDICAL EXAMINERS**

  
Jonathan Eisenmenger  
Executive Director

cc: Swang Oo, Deputy Attorney General

ACKNOWLEDGMENT: I, Dr. James Hagan, have read and reviewed the settlement proposal set forth in this settlement letter. I acknowledge the conduct which has been charged. I am aware that by signing this acknowledgment, I am waiving any rights I may have to defend myself against any charges of wrongdoing at an administrative hearing. I am also aware that the action taken against me by the Board is a matter of public record, and that this letter is a public document. I agree to comply with the directives noted. I will:

1. Pay a civil penalty in the total amount of \$2,500 for repeated acts of negligence N.J.S.A. 45:1-21(d).

2. Complete a total of ten (10) hours of remedial continuing education in clinical pathology. Continuing education course work must be pre-approved by the Board, and is to be completed in addition to the credits you must complete for the renewal of your license.

6/24/2016

Date

James Hagan D.V.M.

James Hagan, D.V.M.